

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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In re: )  
DIGITAL INK, INC., and ) Case No. 18-30056-KLP  
CHRISTOPHER DAVID McGINNIS, )  
Debtors. ) Chapter 7

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HARRY SHAIA, JR., TRUSTEE, )  
Plaintiff, )  
v. ) Adv. Pro. No. 18-03098-KLP  
BMST, INC., *et al.*, )  
Defendants. )

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**BMST, INC.'S AND MARK BELTRAMI'S MOTION TO DISMISS COMPLAINT TO  
AVOID TRANSFERS, IMPRESS SUCCESSOR LIABILITY, AND OBTAIN AN ORDER  
OF SUBSTANTIVE CONSOLIDATION**

Defendants, BMST, Inc. and Mark Beltrami (together, the "BMST Defendants"), by counsel, pursuant to Rule 7012 of the Federal Rules of Bankruptcy Procedure and Rule 12(b)(6) of the Federal Rules of Civil Procedure, and for the reasons set forth in *BMST, Inc.'s and Mark Beltrami' Memorandum of Law in Support of Motion to Dismiss Complaint to Avoid Transfers*,

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*Counsel for BMST, Inc. and Mark Beltrami*

*Impress Successor Liability, and Obtain an Order of Substantive Consolidation* filed contemporaneously herewith, seeking dismissal of all Counts asserted against the BMST Defendants, request that the Court enter an Order: (i) granting this Motion to Dismiss; (ii) dismissing Counts V, VI, VII, VIII, IX, and XI, *with prejudice*, and (iii) granting such other and further relief as the Court deems just and proper.

Dated: November 2, 2018

Respectfully submitted

BMST, INC. and MARK BELTRAMI

/s/ Franklin R. Cragle, III  
Counsel

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*Counsel for BMST, Inc. and Mark Beltrami*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 2, 2018, a true and complete copy of the foregoing Motion was filed and served electronically using the Court's ECF System and was also sent by e-mail and first class mail, postage prepaid, as follows:

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